

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

APPEAL FROM THE SOUTH CAROLINA ADMINISTRATIVE  
LAW COURT. HAN FUNDERBUCK JR. ADMINISTRATIVE LAW JUDGE

APPELLATE CASE NO. 2018-001322

PRO SE: Elliott HATTON 158873 Respondent.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS Appellant.

Respondent's FINAL BRIEF

Response to Appeal

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ON JUNE 20, 2018 THE ALC ISSUED ITS "FINAL ORDER"  
CONCERNING HATTON'S APPEAL. BY ITS ORDER THE ALC AFFIRMED IN PART  
AND REVERSED IN PART SCDC'S FINAL DECISION REGARDING HATTON'S  
CHALLENGES TO HIS PRIVATE SECTOR THROUGH PRISON INDUSTRIES PAY.  
SCDC APPEALS THE ALC'S ORDER, BUT AS REFLECTED BY ITS JULY,  
13, 2018 NOTICE OF APPEAL IT APPEALS ONLY PART OF AILING'S ISSUE BY THE ALC.  
HATTON'S WORK RECORDS AND PAY ALONE WAS SHOWN ALC THAT AS IN TORRENCE  
AND WARD V. SCDC THAT SCDC THAT SCDC REMOVED ~~money~~ MONEY REMITTED  
BY THE PRIVATE INDUSTRY SPONSOR AND THEN DISBURSES THE PERCENT-  
AGES LISTED IN S.C. CODE ANN § 24-3-40) BASED ON THE LOWER  
RATE (SCDC) WOULD BE IN VIOLATION OF THE PLAIN LANGUAGE OF  
THE STATUTE WHICH DIRECTS IT TO DISBURGE THE MONEY  
BASED ON THE GROSS WAGES SEE 24-3-40(A)

ALC Clearly ordered that (SCDC) must classify the entire contract amount as the hourly gross wages and training period covered by contract, and calculate deductions and distributions from HATTON'S set forth in (24-3-40)(A).

This Court should also take note that HATTON'S Step 2 Grievance Appeal dated August 3, 2007 was held by SCDC's Attorney LAKE Summers until March 28, 2016 before giving a response, in order to stall from paying money owed to HATTON by SCDC. This money owed to HATTON is money SCDC illegally took from HATTON and SCDC isn't losing a penny they're just paying back what they never should have taken from HATTON'S hourly wages

### CONCLUSION

To prevent any more stalling by SCDC and since the ALC has made the correct ruling after all facts were presented I respectfully urge this Honorable Court to uphold the ALC's ruling by dismissing SCDC's Appeal. s/ ~~Elliott Hattton~~

Elliott Hattton 158373

Perry Correctional Institution

430 OAKLAWN RD.

Pelzer SC 29669

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THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

SC Court of Appeals

APPEAL From The SOUTH CAROLINA Administrative  
LAW Court. H.W. Funderbuck Jr. Administrative LAW Judge.

APPELLATE CASE NO. 2018-001322

Elliott HATTEN # 158373 Respondent.

SOUTH CAROLINA Department of corrections Appellant.

PROOF OF SERVICE

I certify that I have served the Respondents  
FINAL Brief on the below named SCDC Attorney  
LAKE SUMMERS. by mailing a copy to him first  
class postage pre-paid at the following address

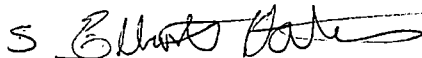
LAKE E. SUMMERS

Malone, Thompson, Summers & Ott LLC

339 Heyward Street suite 200

Columbia, SC. 29201

Date: 1-14-19



Elliott HATTEN 158373

Perry CI #1-B 203

430 OAK LAWN RD.

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P.C.I. MAILROOM

Appellate Case NO. 2018-001322 :

To: JENNY ABBOTT KITCHINGS January 14<sup>th</sup> 2018

IN Response to your letter dated 1-8-2019

You stated that I needed to pay Filing fee \$50.00.

First and foremost, I AM AN INMATE that is indigent and cannot pay this fee.

Secondly, I AM Pro Se. with very little of understanding of court procedures.

Third I am the Respondent in this case and rule 222 of Appellate rules, It states that the Appellant shall pay all court costs.

Fourth this Appeal stems From previous grievance filed and final order by ALC. The Appeal was made by SCDC therefore they should pay any court costs especially after the fact I'm an inmate I'm indigent and I'm the ~~respondent~~ respondent in this case

s. Elliott Hottel

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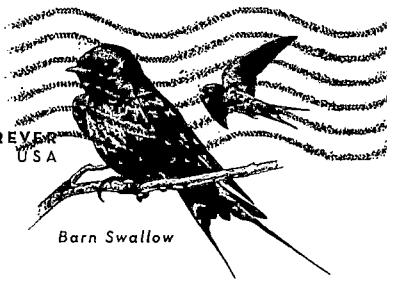
SC Court of Appeals

Elliott HATTON #158373 Q1-B-203  
~~P.C.I.~~ P.C.I.  
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